HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

Writ Petition No.1077 of 2005

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Between:

The Branch Manager,
Rep. by its authorized signatory,
The Oriental Insurance Co. Ltd.,
C.B.O.I,
Pushpanjali Complex,
Koti, Hyderabad

…Petitioner.

And

Smt. Nazneen Sulthana & another

….Respondents.

:: O R D E R ::

Counsel for the petitioner : Shri S. Agastya Sarma

Counsel for respondent No.1 : Smt. Nori Kiranmayee

Counsel for respondent No.2 : Government Pleader for Home

28.03.2007

Per G.S. SINGHVI, CJ

This petition is directed against order dated 08.07.2004 passed

by Andhra Pradesh State Consumer Disputes Redressal Commission, Hyderabad (for short 'the State Commission') in F.A.No.828 of 2003, whereby it reversed order dated 02.07.2003 passed by District Consumer Forum, Sangareddy in C.D.No.41 of 2002 and directed the insurance company (the petitioner herein) to pay the insured amount to the complainant (respondent No.1 herein) within a period of six weeks with the rider that if the amount is not paid, respondent No.1 will get interest at the rate of 9% per annum.

Arguments in this case were heard on 13.03.2007 and the case was adjourned to 14.03.2007. However, on the next date, the case could not be taken up due to heavy cause list.

Today, Shri Agasthya Sharma, learned counsel for the petitioner and Smt. Nori Kiranmayee, learned counsel for respondent No.1 stated that they have got instructions to compromise the matter. Shri Agasthya Sharma submitted that the petitioner is willing to pay a sum of Rs.1,00,000/- to the respondent by way of exgratia. Smt. Nori Kiranmayee says that the offer made by Shri Agasthya Sharma is acceptable to her client.

In view of the agreement arrived at between the parties, the writ petition is disposed of in the following terms:

(1) the order impugned in the writ petition is set aside;

(2) the petitioner shall be free to withdraw the amount deposited in furtherance of the order passed by the State Commission;

(3) within two weeks from today, Smt. Nori Kiranmayee should supply the names and particulars of the minor children of her client to Shri Agasthya Sarma, learned counsel for the petitioner, and

(4) within six weeks from today, the petitioner shall deposit Rs.50,000/- in the name of each of the minor children of respondent No.1. The amount shall be deposited in fixed deposit for a period of three years in Sangareddy Branch of Andhra Bank.

As a sequel to disposal of the main petition, interim order dated 04.03.2005 passed in W.P.M.P.No.1419 of 2005 shall automatically stand vacated and W.V.M.P.No.643 of 2007 filed by respondent No.1 is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

28.03.2007
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